UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2002/159
28 March 2002

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Agenda item 8

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Note verbale dated 25 March 2002 from the Permanent Mission of Israel to the United Nations Office at Geneva addressed to the secretariat of the fifty-eighth session of the Commission on Human Rights

The Permanent Mission of Israel to the United Nations Office and Other International Organizations in Geneva presents its compliments to the secretariat of the fifty-eighth session of the Commission on Human Rights and has the honour to enclose herewith Israel's response to the report of Mr. John Dugard, Special Rapporteur of the Commission on Human Rights dealing with the West Bank and Gaza, dated 6 March 2002 and contained in document E/CN.4/2002/32.

The Permanent Mission of Israel requests that this document* be circulated as an official document of the fifty-eighth session of the Commission of Human Rights under agenda item 8.

* Reproduced as received, in English only.

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Annex

Response of the Government of the State of Israel to the Report of the Special Rapporteur of the Commission on Human Rights, Professor John Dugard, dated March 2002

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I. Introduction

1. The latest report submitted by the Special Rapporteur (E/CN.4/2002 32 dated 6 March 2002) is a clearly political document. The major thesis advanced by the Special Rapporteur is that the Israeli occupation of territories acquired in a war of self–defence in 1967 is the principal cause of the present crisis.

2. We strongly differ with this political statement. Firstly, terrorism should not be condoned in any way. No "root causes" can justify the resort to acts of terror targetting innocent people. As the Rapporteur aptly states in his introduction: "Terrorism is a scourge that threatens Palestinians and Israelis alike and every effort should be made to bring terrorism to an end".

3. The principle cause of the present crisis is a conscious decision by the Palestinian Authority to violate all pervious agreements made with Israel since 1993, which called for the resolution of differences through negotiations, and to embark on a campaign of violence.

4. Countless acts of terrorism, suicide bombings in the centres of Israeli towns and villages, drive-by shootings at Israelis travelling throughout Israel and the administered territories, dynamite charges and bombs placed under Israeli vehicles and in market places – all these acts of terror are part and parcel of the Palestinian Authority's campaign of violence against Israel.

5. Describing military occupation as the "main explanation for acts of terrorism committed by Palestinian against Israel" condones, if inadvertently, those who perpetrate these acts of terrorism, by not condemning them unequivocally. In this and other assertions the Special Rapporteur regrettably goes far beyond the inherent imbalance of his mandate. In addition he addresses and effectively prejudges issues agreed to be resolved between the two sides through negotiations.

6. Regrettably, this report, like the previous one, can only be interpreted as giving encouragement to advocates of violence and undermining genuine efforts to halt the current terrorism and resume peaceful negotiations. Israel has repeatedly stated that there can be no value in a report pursuant to a one-sided and anachronistic mandate. The current report is yet another proof of this assertion.

7. Still, we commend the Special Rapporteur for going beyond the realm of his mandate in a number of areas, finding that Palestinians have committed acts of terrorism against Israelis, violating important norms of international law and using force contrary to the norms of international law. He is also to be commended for reaffirming that the shooting of settlers cannot be justified, for stressing that settlers remain civilians and cannot not be treated as combatants unless they engage in military operations, and for supporting Israel's castigation of the Palestinian Authority for failing to arrest those responsible for terrorist attacks against Israelis.

8. Many of Israel's comments on the Special Rapporteur's previous report (contained in document E/CN.4/2002/129 of 7 December 2001), are equally valid with respect to many aspects of the Special Rapporteur's current report. A number of issues raised in this latest report cannot, however, pass without comment.

II. The Mandate of the Special Rapporteur

9. Israel's reservations concerning the mandate of the Special Rapporteur – many of which are shared by previous Special Rapporteurs - have been clearly stated and documented in various UN fora, including in Israel's response to the Special Rapporteur's initial report. In brief, this mandate violates the UN Charter principle of the sovereign equality of states in many respects, most significantly the fact that it prejudges the issues that the Special Rapporteur is supposed to investigate, concluding that Israel is guilty of committing violations before even considering any evidence. Further, the inherent imbalance of the mandate is reflected in its singling-out of Israel for criticism, while failing to allow the Rapporteur to address violations and provocation by the other party to the conflict. In addition, unlike any other country specific mandates, the Special Rapporteur's mandate is unique for being open-ended, failing to allow for any periodic review to reflect changes in

circumstances. Finally, the mandate fails to take any note of the significant changes in the region as a result of a series of agreements signed between Israel and the PLO, which led to transfer of territory, powers and responsibilities to the Palestinian side.

10. The Special Rapporteur does not address these fundamental failings of his mandate, but rather requests that the Commission consider this matter. Israel supports such a request but would emphasise that the issue is not one of "interpreting" the mandate, as the Rapporteur suggests, but rather amending the mandate itself. The mandate should be corrected so as to accord with the accepted principles of neutrality and impartiality. In particular, the mandate should not prejudge issues to be investigated, should enable the Rapporteur to consider all sides of these issues, and should not be open-ended. It should also take into consideration the many developments in the region and the agreements signed since its original adoption.

C. Status of the territories

11. The Special Rapporteur reiterates the assertion contained in his previous report that the situation throughout the territories is one of occupation, since Israel "has the power to intervene in the territories". He adds, as further proof of the fact of occupation, that Israel has conducted military incursions into parts of Area A.

12. Israel addressed this issue at some length in its response to the previous report, and so will merely reiterate here that, for a state of occupation to exist, international law requires that territory be "actually placed under the authority of a hostile army" (Hague Regulations) and further provides that protected persons are those who find themselves "in the hands of the... Occupying Power" (IVth Geneva Convention). It is the fact that these areas, particularly area A, are not under Israeli authority and that their residents are not "in Israel's hands" that has created the current situation in which the real authority in these areas, the Palestinian Authority, allows terrorists to act with impunity, and even official support. Had Israel genuinely had "effective control", and had the population genuinely been in Israel's "hands", Israel could have prevented the constant incitement to violence in schools, government-controlled media and mosques in the Palestinian-controlled territories. It could have confiscated the illegal weapons held in contravention of signed agreements, and prevented the para-military training of Palestinian youth and their deliberate indoctrination in the art of suicide bombings and martyrdom in summer-camps and schools, in flagrant violation of basic international norms and principles, not to mention the written commitments signed between Israel and the PLO. Israel could also have prevented the release of terrorists from Palestinian prisons, helping to prevent the murder of hundreds of Israelis and injuries of thousands more, by terrorist attacks emanating from Palestinian-controlled territory, since October 2000. But in fact, this is not the case. Israel lacks such control in these areas. Accordingly the measures undertaken by Israel to protect civilians, including measures taken in these areas in order to frustrate terrorist activity, are purely acts of self-defense and cannot be considered to constitute the effective control required to establish a situation of occupation.

13. The reference made by the Report to Article 47 of the IVth Geneva Convention is also disingenuous. As the Commentary to that article makes clear, it is intended to

ensure that a protected population will not be deprived of the benefits of the Convention by the establishment of a puppet regime "subservient to the will of the Occupying Power". It strains credulity to argue that the agreements freely negotiated between Israel and the PLO, witnessed by the leading states of the international community, and leading to free elections for the Palestinian Council, held in January 1996 under the scrutiny of international observers, could fall within the situation envisaged by Article 47.

IV. "Occupation and Terrorism"

14. The equation drawn by the Special Rapporteur in Chapter III of his Report, between "Occupation and Terrorism" is not only objectionable; it is also dangerous. While belligerent occupation is a situation recognized as valid under international law, and governed by norms and rules, terrorism is prohibited ***per se***, and, as repeated United Nations Resolutions have stressed, can have no explanation whatsoever and is "unjustified in all circumstances" (UNGA Res. 49/60).

15. Occupation may be a legitimate response to violent attacks, but no provocation can justify terrorism. However, the Special Rapporteur juggles around these principles so that occupation is no longer legitimate, but terror can be justified. A statement such as: "It is small wonder that Palestinians see the military occupation as... the source of violence in the region" can only be considered as a sympathetic justification of terrorism, especially when the Rapporteur later drops any pretense of presenting a "Palestinian perspective" and asserts that "the main explanation for the acts of terrorism committed by Palestinians against Israelis is the military occupation" (para. 13).

16. This shocking thesis seems to argue that the "main explanation" for terrorist attacks is not the terrorists who decide to blow up scores of innocent civilians but rather Israel's presence in the territories in the face of decades of Arab hostility and refusals to negotiate. It also ignores the fact that Palestinian terrorism has been at its most prevalent precisely at those times when Israel has demonstrated its most far-reaching willingness at the negotiating table. This has been the case throughout the years of negotiations, but has never been more evident than in the case of the current wave of Palestinian violence which was instigated not as a response to Israeli policies, but rather to try to camouflage the Palestinian refusal to respond to the most generous Israeli peace offer to date. Moreover, the Rapporteur's assertion that it is occupation that is the real cause of Palestinian terrorism also ignores the historical fact that the adoption of terrorism as the prime Palestinian strategy predated Israel's entry into the territories in 1967.

17. Perhaps most striking of all, in terms of the Report's treatment of the issue of terrorism, is the absence of any reference at all to the Palestinian Authority's direct and active role in instigating, planning and participating in the violence. While determining that "no doubt, that it [the PA] could do more to prevent the shooting of settlers and the culture of violence that produces suicide bombers", the Special Rapporteur also suggests that "the extent to which these actions are subject to the control of the Palestinian Authority is uncertain".

18. It is hard to see how such a forgiving judgement could be sustained in the face of the facts, such as the proven involvement of the Palestinian Authority in the smuggling of lethal heavy weaponry on the ***Karine A*** boat, the fact that over 50% of terrorist attacks in the past several months have been conducted by groups, including the ***Fatah*** and ***Force 17***, under the direct control of Yasser Arafat, and the overt incitement and support given to such acts publicly by the Palestinian leadership.

19. This double standard is also evident in the language and tone adopted by the Report. While Israel's security measures, taken in response to Palestinian violence and in full accordance with the Israeli-Palestinian agreements, are vilified in the strongest language, attacks by Palestinian "militarized groups armed with rifles, mortars and Kassam-2 rockets" – all in flagrant violation of agreed obligations - are, staggeringly, described as displaying "new determination, daring and success" (para.22).

V. Israeli Security Policy

20. The Report criticizes a number of specific Israeli actions. It is difficult to respond to these 'factual findings' since they are largely political assertions or unsubstantiated generalizations. Additionally, most of the allegations raised have been addressed by Israel in other contexts, including in Israel's submissions to the Mitchell Committee (available at www.mfa.gov.il) and in Israel's response to the Special Rapporteur's previous report (E/CN.4/2002/129 of 7 December 2001). However, a number of the Special Rapporteur's assertions should not go without comment.

21. **Targetting of terrorists**: The Report states that the targetting of terrorists cannot be reconciled with the IVth Geneva Convention which seeks to protect the lives of protected persons not taking a direct part in hostilities, and further asserts that "there is no basis for killing protected persons on the basis of suspicion that they have engaged or will engage in terrorist activities." But in fact there is no principle of law which requires a state to remain passive in the face of an armed attack. When terrorists are planning and perpetrating attacks against civilians with impunity from within areas under Palestinian jurisdiction, attempts to prevent them, including – where no other means is available – by targetting them, are a legitimate exercise of Israel's right of self-defence, and indeed its obligation to protect the lives of its citizens. Moreover, describing the targets of such attacks as "protected" persons, as the Report does, is inaccurate in the extreme. An individual who plans or engages in terrorist attacks, uses weaponry and armaments, and is part of a hostile military organization, is not a civilian and so is not entitled to the benefits accorded to protected civilians under the IVth Geneva Convention. As the ICRC Model Manual on the Law of Armed Conflict states:

> Civilians are not permitted to take a direct part in hostilities and are immune from attack. If they take a direct part in hostilities they forfeit this immunity.

22. **Demolition of houses:** On the issue of demolition of houses, the Special Rapporteur, while admitting that "there are doubtless instances in which houses have been demolished for genuine security reasons", goes further to assert that "the extent of the damage and the evidence of witnesses suggest that the destruction of houses, in many instances is not "rendered absolutely necessary by military operations" as required by article 53 of the Fourth Geneva Convention". He gives no indication of the basis for this assertion, and makes no reference at all to the fact that the houses in question have served as the bases from which bombs were detonated and hundreds of grenades thrown in the past months, and have been used to conceal illegal tunnels for the smuggling of terrorist arms and heavy weaponry. Clearly, before such drastic measures as house demolition are effected, serious humanitarian issues must be grappled with, but, as the Official Commentary to Article 53 indicates: "it will be for the Occupying Power to judge the importance of such military requirements".

23. It is also striking that the Special Rapporteur chooses to highlight the "horror" of house demolition with an emotive and graphic description culled from a report published by the Israel human rights organization Betzelem. Clearly the experience of a house demolition is a traumatic one, but it is notable that the experience of the many civilians, children, women and men, killed and maimed in drive-by shootings or suicide bomb attacks does not warrant similar emotive attention from the Rapporteur.

24. **Freedom of movement:** The Rapporteur devotes some considerable attention to the restrictions on freedom of movement including at international borders and checkpoints, yet makes no reference whatsoever to the repeated terrorist attacks, and the failure of the Palestinian authorities to prevent such attacks – indeed their active support and involvement, that have made such measures necessary. Assertions such as the observation that the city of Jericho "has been encircled by a deep trench to deny vehicles access to the city except through an IDF checkpoint", are presented as though they are the result of an arbitrary Israeli whim, and not an urgent attempt to prevent further loss of civilian life.

25. On the issue of checkpoints the Rapporteur goes yet further, and repeats the unsupported assertion from his previous report that these are not to try to protect civilians from terrorists and car bombs, but rather to "attempt to humiliate Palestinians and put pressure on them".

26. The Report stipulates that "it is impossible to reconcile the closure with articles 23, 55 and 56 of the Fourth Geneva Convention, which require the free passage of foodstuffs, clothing and medicines intended for certain vulnerable categories of persons". However, it fails to mention the numerous instances throughout this conflict of the abuse by Palestinian terrorists of protective symbols and of accepted principles relating to the relief of the wounded. One would have expected that the tragic reality in which terrorists place themselves in ambulances, disguising as paramedics, would be at least mentioned in the Special Rapporteur's Report. At the same time, Israel's efforts to facilitate, despite the dire security situation, emergency humanitarian assistance by UNRWA, the ICRC and the international community, are also not mentioned.

F. Involvement of children in the conflict

27. That children have suffered severely from the present crisis in many ways is doubtlessly true. The impact of the armed conflict on children in both sides, is one of the most agonizing aspects of the conflict. There is no doubt that the current violence assumed significant and tragic tolls on both sides. These costs are not one-sided. Children are truly blameless victims of any conflict. They are particularly vulnerable, and must stand apart from any political campaign regardless of the perceived justness of a cause.

28. It is therefore a striking indication of bias that, whereas the Report draws attention to regrettable incidents of death and injuries of Palestinian children, describing the effect of the present conflict on them, it fails to mention any similar injuries to which the children of Israel are exposed to on a daily basis. It makes no mention of the tragic impact of terrorism on Israeli children, who are savagely murdered by suicide terrorists in schools, and buses, in discotheques, pubs and pizza restaurants, in market places and in open streets, in shopping centers and in their very homes, on a daily basis. Nor does the Report make any reference to the profound effects of the current situation on Israeli children and their development, their psychological development and educational difficulties. On this issue, the Special Rapporteur's silence is deafening.

29. Furthermore, the Report lacks any presentation of the role played by the calculated use of Palestinian children in perpetrating violence, or the fact that they have been used quite consciously as part of an orchestrated Palestinian campaign. The Report does not present nor assess the wealth of evidence which shows how children have, in fact, been actively encouraged to become involved, nor does it raise the issue of official responsibility of the Palestinian authorities for these children's actions, such as the arrangements made by the Political Guidance Department of the Palestinian Authority for children to leave school especially for the purpose of taking part in violent hostilities. The active recruitment and involvement of children in the conflict, both as combatants and as human shields, is, of course, a serious breach of basic international norms and principles.

30. Nor does the Special Rapporteur mention the diet of hatred on which Palestinian children have been raised. They have been taught that Israelis are the eternal enemy and that Jews are demonic. In all matters relating to Israel and Jews there is a total denial of historical fact that is impossible to square with the Report's assertion that "Education is a top priority in Palestine [*sic*]". Additionally, many children are indoctrinated and military-trained in the art of suicide bombings and martyrdom in summer-camps. The relentless incitement and de-legitimization of Israel in the Palestinian public media, mosques and educational institutions, deprives yet another generation of even the possibility of contemplating peace.

31. The Special Rapporteur also makes serious accusations regarding Israel's administration of justice and, particularly in its treatment of children detained under its custody. These allegations are made without any specific details whatsoever. While Israel relates with extreme seriousness to any charge of ill-treatment of children, and investigates any specific allegation, it is practically

impossible to respond to such unsubstantiated charges. Nonetheless, several general observations are warranted.

32. Israel has never claimed that the struggle against terrorism constituted an exceptional circumstance that justified the use of any inhumane treatment. The prohibition of torture constitutes an integral part of Israeli law and jurisprudence. In this regard, the Supreme Court decision on the prohibition of using physical interrogation techniques of suspected terrorists, was cited by the Special Rapporteur, but with certain legal misreadings, implying that "torture" might be employed in cases of "necessity", where it is imperative to obtain information about "ticking bombs".

33. This, however, is not the decision of the Supreme Court. To the contrary, the Court held that Israeli officials conducting interrogations are not authorized to use torture, even in cases where the use of such procedures might have prevented terrible attacks. The use of cruel, inhuman or degrading procedures is likewise prohibited. Investigators who fail to comply with these provisions are liable under the law, unless they fall within a strictly circumscribed defence of "necessity".

34. Following the Supreme Court's decision, the Attorney –General convened a meeting with representatives of the ISA (Israeli Security Agency) in order to ensure the immediate implementation of the ruling. In line with the Attorney-General's instruction, strict implementation of the ruling has been observed by the ISA.

35. Any person under interrogation is entitled to file a complaint against his interrogators. The investigation of such complaints is conducted under the professional direct supervision of the Ministry of Justice.

36. Additionally, any alleged ill-treatment during investigation may be challenged directly before the Supreme Court, sitting as the High Court of Justice. Any individual who feels that he or she has been wronged - and this may include not only the detainee or his family, but also, under the broad rules of standing in Israeli law, virtually any person or group who claims an interest in the legal or humanitarian issues involved – may have his or her petition heard by the High Court of Justice within 48 hours of being filed.

37. This right is accorded to all persons, whether or not Israeli citizens, including residents of the territories. In this respect, Israel is the only country in the world that has granted access to its highest court to non-citizens petitioning against administrative measures.

38. Finally, in this regard, Israel must express its astonishment at the data included by the Special Rapporteur, particularly the statistics regarding Palestinian minors in detention. No basis for these figures is given, and in view of the massive discrepancy between them and the figures available to the Rapporteur from Israeli sources, it is remarkable that they were included in the Report without any question as to their accuracy.

VII. Humanitarian Law and Human Rights Law

39. Throughout this Report, like its predecessor, the Rapporteur makes extensive legal reliance, not only on the instruments of humanitarian law, but also instruments of human rights law, in particular the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Rights of the Child (CRC). To justify doing so, he argues that the provision in Article 27 of the IVth Geneva Convention requiring respect for the human rights of protected persons means that the provisions of human rights instruments must be imported to complement the provisions of humanitarian law.

40. As noted in Israel's response to the first Report, this is a radical departure from the accepted understanding of international law, according to which human rights and humanitarian law are distinct regimes, with different origins, codified in different instruments and applicable in different circumstances. While there is a clear connection between these two bodies of law, and that there may well be a convergence between them in some respects, as they both share the fundamental notion of humanity and respect for human dignity, the current state of international law and state practice, is that these two legal regimes are nevertheless distinct and apply in differing circumstances.

41. Thus, far from being an invitation to import provisions from treaties protecting human rights in times of armed conflict, humanitarian law is the expression of that protection. This, in fact, is the correct reading of the Vienna Declaration of the World Conference on Human Rights quoted by the Special Rapporteur, which states that "effective legal protection against the violation of [people under occupation's] human rights should be provided, in accordance with human rights norms and international law, particularly the Geneva Convention relative to the protection of Civilian Persons in time of War." In other words, the IVth Geneva Convention, and the international humanitarian law framework of which it is a part, ***is*** the human rights regime for situations of occupation, not a partial arrangement requiring to be supplemented by human rights treaties concluded for the very different context of protection of citizens from their own government in times of peace.

42. It should also be noted that the Special Rapporteur's approach, of holding Israel responsible under human rights treaties for abuses perpetrated in areas under Palestinian jurisdiction, effectively absolves the Palestinian side for its failure to fulfill its own responsibilities in this regard. And indeed, the silence of the Special Rapporteur with regard to widespread human rights abuses of the Palestinian Authority in areas under its jurisdiction, is striking.

H. Special Rapporteur's Recommendations

42. As in his previous report, the term "recommendation", as used by the Special Rapporteur, is virtually synonymous with "unilateral Israeli concession." Among these recommendations are the following:

43. Settlements: The most insistent recommendation made by the Special Rapporteur relates to Israeli settlements. The Special Reporter cites the Mitchell Report as evidence that "peace is impossible without a complete freeze on all settlement activity". He conveniently disregards the Mitchell Framework which only contemplates such a freeze after an effective cease-fire and cooling off period. He also determines that an immediate freeze is not sufficient: "It is not enough to merely impose a freeze on settlements. Steps must start now to dismantle settlements". This is also in clear disregard for the terms of the peace process, under which settlements are to be addressed in the framework or permanent status negotiations. For the Special Rapporteur the negotiations will not start until Israel has unilaterally conceded the issues to be negotiated.

44. International presence: the Special Rapporteur calls for the introduction of an "international peace-keeping mission". But in fact the only step required to achieve an end to the current violence, is for the Palestinian leadership to comply with its responsibility to act against the terrorism emanating from areas under its control. Until that happens no international presence will have any effect. Indeed, the Mitchell Report refrained from recommending the introduction of an international presence. It went on to caution that such a presence could only be effective "with the consent of all of the parties involved". Unlike the Special Rapporteur, the Mitchell Report realized that responding to Palestinian instigated violence by conceding to a Palestinian request to internationalize the conflict would bring neither peace nor stability, but only reward a policy of violence, and encourage it as a tactic to gain further concessions.

45. Most striking of all in the Special Rapporteur's recommendations, indeed in the entire Report, is the absence of any reference whatsoever to the peace process, and the series of agreements reached between Israel and the Palestinians. While decades of politically-motivated resolutions of the Commission on Human Rights, and reports like the current one, did absolutely nothing to bring the Palestinian people one iota closer to their national aspirations, it was direct negotiations and these agreements that brought about Palestinian elections, the establishment of Palestinian institutions, and a situation in which over 98% of Palestinians of the territories live under Palestinian, not Israeli, rule.

46. But the Special Rapporteur makes no reference to the peace process nor the Palestinian rejection of negotiation and adoption of violence as their approach to settling differences, in direct contravention of obligations contained in every one of the Israel-PLO agreements. Indeed for the Special Rapporteur there seems to be little to negotiate. The Report is rife with political assertions which prejudge issues to be negotiated. Territories under Palestinian jurisdiction are termed "Palestine" while the Palestinian entity is described as a "nascent state". Similarly on the issue of refugees (which he candidly admits to be outside his mandate) the Rapporteur

rewrites UN GA Resolution 194 to establish a "right" of return. Why indeed should any Palestinian want to return to the negotiating table when the Special Rapporteur is available to resolve all continuous issues in his favor?

IX. Concluding Comments

47. The reporting activity of the Special Rapporteur in the territories presents Israel with a sensitive dilemma. Refusing to cooperate with the Rapporteur means that Israel forgoes the opportunity to have its case presented before the authors of the Report and to seek to redress misperceptions and inaccuracies in advance. On the other hand, active cooperation could only be interpreted as acceding to the objectionable mandate under which the Special Rapporteur operates. This has been the reason for Israel's decision not to cooperate to date.

48. The two reports submitted by the current Special Rapporteur give Israel no reason to consider changing this policy. There is little or no evidence to suggest that a frank dialogue about the dilemmas facing Israel in confronting terrorism, or seeking to get back to the negotiating table, or trying to alleviate the hardships facing Palestinians in the territories, would have any impact whatsoever on the fixed political outlook apparent in the reports.

49. At a time when Israelis are facing an unprecedented campaign of brutal terrorist attacks, and when the Palestinian leadership involvement in such attacks has never been clearer, there is an alarming disconnect between the picture painted by the Report, and that experienced by the people of the region. The fact that an international body with the potential to play a constructive role in improving the welfare and prospects of the people of the region has chosen to squander this potential on a political tract is to be deeply regretted, not only by Israel but by anyone with a genuine concern for the future of the region.